

THE EFFECTIVE DATE OF THIS ORDINANCE IS JUNE 30, 2006

ORDINANCE NO. 06-24-420

Re: Amendment to the Zoning Ordinance to amend
Section 1-19-4 to add criteria for Guardhouse and
to add the reference to Section 1-19-197

Zoning Text Amendment ZT-06-03

PREAMBLE

The Board of County Commissioners has determined to adopt an Ordinance amending Frederick County Code, Sections 1-19-4, 1-19-197 and 1-19-200.

This amendment will add a definition for Guardhouse in Section 1-19-4, add criteria for Guardhouse to be a permitted accessory structure in commercial/industrial districts in Section 1-19-200 and amend Section 1-19-197 of the Zoning Ordinance.

The Frederick County Planning Commission held a public hearing on May 17, 2006. The Frederick County Planning Commission recommended approval of the amendment as proposed by the applicant, with staff recommended changes.

The zoning text amendment and the public hearing before the Board of County Commissioners were duly advertised in the *Frederick News Post* a newspaper of general circulation of Frederick County, on June 3, 2006, and June 10, 2006. A public hearing was held on June 20, 2006.

NOW THEREFORE, BE IT ENACTED AND ORDAINED BY THE BOARD
OF COUNTY COMMISSIONERS OF FREDERICK COUNTY, MARYLAND,

Sections 1-19-4, 1-19-197 and 1-19-200 of the Frederick County Code be amended to read as follows:

§ 1-19-4. DEFINITIONS.

GUARDHOUSE: AN ACCESSORY STRUCTURE NOT TO EXCEED 150 SQUARE FEET IN FOOTPRINT AND 15 FEET IN HEIGHT LOCATED AT THE ENTRANCE TO A PROPERTY, USED FOR THE SOLE PURPOSE OF PROVIDING MONITORING AND CONTROL OF ACCESS TO THAT PROPERTY.

§ 1-19-197. LOCATION.

No accessory building will be erected within the required front yard, EXCEPT AS PROVIDED IN SECTION 1-19-200. No accessory structure will be erected within 6 feet of any [rear or side] lot lines or within 6 feet of any building on the lot, EXCEPT AS PROVIDED IN SECTION 1-19-200.

§ 1-19-200. COMMERCIAL AND INDUSTRIAL DISTRICTS.

(F) GUARDHOUSE PROVIDED THAT:

(1) IT IS DETERMINED THROUGH THE SITE PLAN APPROVAL PROCESS THAT THE GUARDHOUSE WILL PROVIDE CONTROLLED VEHICULAR AND/OR PEDESTRIAN ACCESS TO THE SITE AND THAT

CAPITALS INDICATE MATTER ADDED TO EXISTING LAW [Brackets] indicate matter deleted from existing law

CONTROLLED ACCESS TO THE SITE IS NECESSARY AND APPROPRIATE FOR SECURITY PURPOSES IN CONNECTION WITH AND IN CONSIDERATION OF THE NATURE OF THE PRIMARY USE ON THE SITE;

(2) NOTWITHSTANDING ANY OTHER PROVISIONS RELATING TO ACCESSORY STRUCTURES, THE GUARDHOUSE MAY BE LOCATED ANYWHERE ON A LOT, INCLUDING A PANHANDLE PROVIDED THAT A SIX (6) FOOT SETBACK IS MAINTAINED FROM ANY LOT LINE;

(3) THE GUARDHOUSE SHALL BE SITUATED IN A LOCATION WITH ADEQUATE SETBACKS SO AS TO MINIMIZE CONFLICT WITH OFF-SITE TRAFFIC, EXISTING OR PROPOSED DRIVEWAYS, SEPTIC FIELDS AND UTILITIES, AND SHALL ACCOMMODATE OTHER EXISTING SITE FEATURES, RIGHTS-OF-WAY, EASEMENTS AND/OR OTHER USES; AND

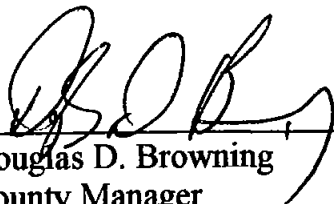
(4) IN ADDITION TO THE SITE PLAN REQUIREMENTS OF SECTION 1-19-412 AND SECTION 1-19-413, THE SITE PLAN SHALL INCLUDE ARCHITECTURAL DRAWINGS, SHOW NECESSARY UTILITY CONNECTIONS AND WATER AND SEWER INFRASTRUCTURE AND EASEMENTS, INDICATE THE AFFECT OF THE CONTROLLED ACCESS ON THE VEHICULAR FLOW INTO THE SITE AND MEASURES THAT WILL BE TAKEN TO MITIGATE THE INTERFERENCE OF VEHICLES STACKING WITH OFF-SITE TRAFFIC.

CAPITALS INDICATE MATTER ADDED TO EXISTING LAW [Brackets] indicate matter deleted from existing law.

BE IT FURTHER ENACTED AND ORDAINED that this Ordinance will become effective on June 30, 2006.

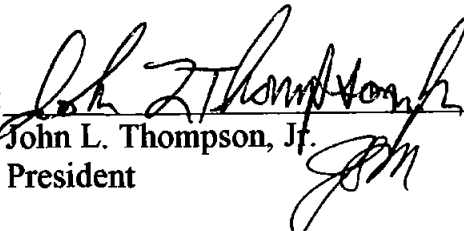
The undersigned hereby certifies that the foregoing Ordinance was approved and adopted on the 20th day of June, 2006.

ATTEST:



Douglas D. Browning
County Manager

BOARD OF COUNTY COMMISSIONERS
OF FREDERICK COUNTY, MARYLAND

By: 

John L. Thompson, Jr.
President